

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
MBIA, INC.,

ECF CASE

Plaintiff,

-against -

08 Civ. 4313 (RMB) (DFE)

FEDERAL INSURANCE COMPANY and  
ACE AMERICAN INSURANCE COMPANY,

Defendant.

UNOPPOSED MOTION  
TO ADMIT CHRISTOPHER R.  
ZAETTA PRO HAC VICE

-----X

Pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Frank T. Spano, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of:

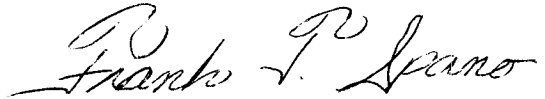
CHRISTOPHER R. ZAETTA  
Hogan & Hartson L.L.P.  
555 13<sup>th</sup> Street, NW  
Washington, D.C. 20004  
202-637-5600 (tel.)  
202-637-5910 (fax)

Christopher R. Zaetta is a member in good standing of the Bar of the District of Columbia and the Commonwealth of Virginia. There are no pending disciplinary proceedings against Christopher R. Zaetta in any State or Federal court.

Dated: New York, New York  
July 2, 2008

Respectfully submitted,

HOGAN & HARTSON L.L.P.

A handwritten signature in cursive script, reading "Frank T. Spano".

By: \_\_\_\_\_

Frank T. Spano (FS-1193)

875 Third Avenue

New York, NY 10022

(212) 918-3000 (Telephone)

(212) 918-3100 (Facsimile)

Attorneys for Federal Insurance  
Company

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MBIA, INC.,

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Defendant.

AFFIDAVIT OF  
FRANK T. SPANO IN SUPPORT  
OF MOTION TO ADMIT  
CHRISTOPHER R. ZAETTA AS  
COUNSEL *PRO HAC VICE*

-----X  
STATE OF NEW YORK, )  
 ) ss.:  
COUNTY OF NEW YORK, )

FRANK T. SPANO, being duly sworn, hereby deposes and says as follows:

I am a member in good standing of the Bar of the State of New York, and was admitted to practice law in January, 1989. I am also admitted to the Bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

1. I am a member of the firm of Hogan & Hartson L.L.P., counsel in this action for defendant Federal Insurance Company ("Federal"). I make this affirmation on personal knowledge, except as to those matters which are stated upon information and belief, in support of the motion seeking to have Christopher R. Zaetta admitted to practice *pro hac vice*. Mr. Zaetta's Declaration in support of this application for admission *pro hac vice* accompanies this motion. This motion is unopposed by counsel for plaintiff MBIA, Inc.

2. Mr. Zaetta is a member of Hogan & Hartson L.L.P. in the firm's Washington, D.C. office. I have worked with Mr. Zaetta and find him to be a skilled attorney of the highest moral character and fitness. He is experienced in Federal practice and familiar with the Federal Rules of Civil Procedure.

3. Mr. Zaetta has, for several years, represented Federal in a variety of matters. He has acquired specialized skill and knowledge of Federal's affairs important to litigating this case. Mr. Zaetta is intimately familiar with the background of this case, and, therefore, Federal would be substantially prejudiced if Mr. Zaetta were not allowed to appear *pro hac vice* in this action. In addition, Federal has specifically requested that Mr. Zaetta assist in the defense of this action.

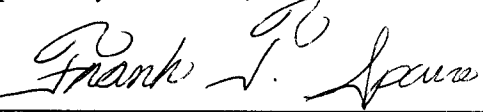
4. Accordingly, I am pleased to move for the admission of Christopher R. Zaetta, *pro hac vice*.

5. I respectfully submit a proposed order granting the admission of Christopher R. Zaetta, which accompanies this affidavit and motion.

WHEREFORE, I respectfully request that the Court grant the within motion for admission of Christopher R. Zaetta to practice *pro hac vice* before this Court.

Dated: July 2, 2008  
New York, New York

Respectfully submitted,

By: 

Frank T. Spano  
HOGAN & HARTSON L.L.P.  
875 Third Avenue  
New York, NY 10022  
Telephone: (212) 918-3000  
Facsimile: (212) 918-3100

Attorneys for Defendant Federal  
Insurance Company

Sworn to before me this  
2<sup>nd</sup> day of July, 2008.

  
Notary Public

**ELLEN SCHILIRO**  
Notary Public, State of New York  
NO. 01SC4951455  
Qualified in Westchester County  
Cert. Filed in New York County  
Commission Expires May 22, 2011

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Defendant.

DECLARATION OF  
CHRISTOPHER R. ZAETTA IN  
SUPPORT OF MOTION TO  
ADMIT COUNSEL PRO HAC  
VICE

-----X

CHRISTOPHER R. ZAETTA, hereby deposes and says as follows:

1. I am a partner in the law firm of Hogan & Hartson L.L.P.
2. I submit this declaration in support of my motion for admission to practice pro hac vice in the above-captioned matter. This motion is unopposed.
3. As shown in the Certificates of Good Standing annexed hereto, I am a member in good standing of the Bars of the District of Columbia and the Commonwealth of Virginia.
4. I also am admitted to practice in the United States Court of Appeals for the Eleventh Circuit (1/12/05) and the United States District Courts for the Eastern District of Virginia (5/10/02) and the District of Colorado (9/9/04).
5. There are no disciplinary proceedings pending against me in any State or Federal court.

6. Wherefore I respectfully request that I be permitted to appear as counsel and advocate pro hac vice in this case.

Pursuant to 28 U.S.C. § 1746, I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Respectfully submitted.

By: 

Christopher R. Zaetta  
HOGAN & HARTSON L.L.P.  
555 Thirteenth Street, N.W.  
Washington, DC 20004  
Telephone: (202) 637-5600  
Facsimile: (202) 637-5910

Attorneys for Federal Insurance  
Company

DATED: July 1, 2008



District of Columbia Court of Appeals  
Committee on Admissions  
500 Indiana Avenue, N.W. — Room 4200  
Washington, D. C. 20001  
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia  
Court of Appeals, do hereby certify that

CHRISTOPHER R. ZAETTA

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was on the 9<sup>TH</sup> day of JUNE, 2003  
duly qualified and admitted as an attorney and counselor and  
entitled to practice before this Court and is, on the date  
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have  
hereunto subscribed my name  
and affixed the seal of this  
Court at the City of  
Washington, D.C., on June  
26, 2008.

GARLAND PINKSTON, JR., CLERK

By: M. Charles  
Deputy Clerk

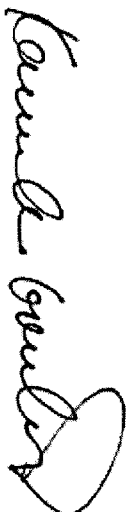


## VIRGINIA STATE BAR

### CERTIFICATE OF GOOD STANDING

*This is to certify that* **CHRISTOPHER ROBERT ZAETTA** *is an active member of the Virginia State Bar in good standing. **MR. ZAETTA** was licensed to practice law in Virginia on* **OCTOBER 9, 1998**, *after successfully passing the bar examination given by the Virginia Board of Bar Examiners.*

*Issued June 27, 2008*

  
Karen A. Gould  
Executive Director and  
Chief Operating Officer



UNITED STATES DISTRICT COURT  
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Plaintiff,

-against -

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FEDERAL INSURANCE COMPANY and  
ACE AMERICAN INSURANCE COMPANY,

Defendant.

ORDER FOR ADMISSION  
PRO HAC VICE ON WRITTEN  
MOTION

-----X

Upon the motion of Frank T. Spano attorney for defendant Federal Insurance Company and said sponsor attorney's affidavit in support:

IT IS HEREBY ORDERED that

CHRISTOPHER R. ZAETTA  
Hogan & Hartson L.L.P.  
555 13<sup>th</sup> Street, NW  
Washington, D.C. 20004  
202-637-5600 (tel.)  
202-637-5910 (fax)

Is admitted to practice pro hac vice to represent Federal Insurance Company in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the pro hac vice fee to the Clerk of the Court.

Dated: \_\_\_\_\_

\_\_\_\_\_  
The Honorable Douglas F. Eaton  
United States Magistrate Judge

**CERTIFICATE OF SERVICE**

I, Frank T. Spano, hereby certify that on this 2<sup>nd</sup> day of July 2008 true and correct copies of the foregoing Unopposed Motion to Admit Christopher R. Zaetta Pro Hac Vice, Declaration of Christopher R. Zaetta in Support of Motion to Admit Counsel Pro Hac Vice, Affidavit of Frank T. Spano and proposed Order for Admission Pro Hac Vice on Written Motion were served via first class U.S. Mail, postage prepaid, on:

James G. McCarney, Esq.  
Howrey LLP  
Citigroup Center  
153 East 53<sup>rd</sup> Street, 54<sup>th</sup> Floor  
New York, NY 10022

Robert H. Shulman, Esq.  
Robert Jacobs, Esq.  
Lara Degenhart, Esq.  
Christine Davis, Esq.  
Howrey LLP  
1299 Pennsylvania Ave., NW  
Washington, D.C. 20004



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Frank T. Spano (FS-1193)